

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CARLTON LEE JENNINGS,)	Case No. 4:10CV00002
)	
Plaintiff,)	
)	
v.)	ORDER
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	By: Jackson L. Kiser
)	Senior United States District Judge
Defendant.)	

Before me is the *Report and Recommendation* of the United States Magistrate Judge recommending an Order be entered remanding this case to the Commissioner under the sixth sentence of 42 U.S.C. § 405(g), and dismissing this case from the docket of the court. This *Report* was filed on September 13, 2010, from which the parties had fourteen (14) days to file objections. No objections were filed. Accordingly, it is this day **ADJUDGED** and **ORDERED** that the *Report and Recommendation* shall be, and hereby is, **ADOPTED** in its entirety. The Commissioner's Motion to Remand is **GRANTED**, but instead of the Commissioner's request for a remand under sentence four of 42 U.S.C. § 405(g), the case will be remanded under sentence six of 42 U.S.C. § 405(g). The clerk is hereby directed to dismiss this case from the docket of the court.

The Clerk is directed to send a copy of this *Order* to counsel as well as to Magistrate Judge Crigler.

ENTERED this 28th day of September, 2010.

s/Jackson L. Kiser
Senior U. S. District Judge